

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Etsuo KAWATE)	
)	
Application No.: 10/579,781)	Group Art Unit: Unassigned
)	
Filed: May 18, 2006)	Examiner: Unassigned
)	
For: METHOD AND APPARATUS FOR)	
MEASURING A COMPLEX)	
DIELECTRIC CONSTANT OF A)	
SAMPLE BY OPTICAL SPECTRAL)	
MEASUREMENT)	

Commissioner for Patents
MAIL STOP PCT

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

US 2004/0169863, US 2004/0008346, and WO 02/095372 were cited in a British Office Action dated December 22, 2006. A copy of the British Office Action is enclosed for the Examiner's consideration. JP 2003-14620, JP 2002-98634, and the article by M. Li, et al., also cited in the British Office Action, were previously submitted in the IDS of May 18, 2006, and therefore are not cited in this IDS.

The following are listed on the accompanying PTO-1449 and are in a language other than English:

a. WO 02/095372: The relevance of this document can be understood from the attached British Office Action, the English language equivalent (EP 1 406 080) attached thereto, and the figures therein.

b. JP 2002-286771: The relevance of this document can be understood from the discussion at paragraphs [0002] and [0023] of the present application, the English language abstract attached thereto, and the figures therein.

c. JP 11-166952: The relevance of this document can be understood from the discussion at paragraphs [0003] and [0023] of the present application, the English language abstract attached thereto, and the figures therein.

d. JP 2002-228600: The relevance of this document can be understood from the discussion at paragraphs [0004] and [0023] of the present application, the English language abstract attached thereto, and the figures therein.

e. JP 2002-214161: The relevance of this document can be understood from the discussion at paragraphs [0007] and [0023] of the present application, the English language abstract attached thereto, and the figures therein.

f. JP 2000-193608: The relevance of this document can be understood from the discussion at paragraphs [0013] and [0023] of the present application, the English language abstract attached thereto, and the figures therein.

g. JP 10-281710: The relevance of this document can be understood from the discussion at paragraphs [0020] and [0023] of the present application, the English language abstract attached thereto, and the figures therein.

h. JP 8-216016: The relevance of this document can be understood from the discussion at paragraphs [0021] and [0023] of the present application, the English language abstract attached thereto, and the figures therein.

i. JP 5-315307: The relevance of this document can be understood from the discussion at paragraphs [0022] and [0023] of the present application, the English language abstract attached thereto, and the figures therein.

A copy of each listed foreign document is attached for the Examiner's consideration. Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



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Date: January 31, 2007

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	Applicants Etsuo KAWATE	
	Filing Date May 18, 2006	Group Unassigned

U.S. PATENT DOCUMENTS

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	2004/0169863	Sept. 2, 2004	KAWATE			Feb. 25, 2004
	2004/0008346	Jan. 15, 2004	KAWATE			Sept. 27, 2002

FOREIGN PATENT DOCUMENTS								
	Document Number	Date	Country	Class	Sub Class	Translation		
						YES	NO	
	02/095372	Nov. 28, 2002	WIPO			X		
	2002-286771	Oct. 3, 2002	Japan			Abstract		
	11-166952	June 22, 1999	Japan			Abstract		
	2002-228600	Aug. 14, 2002	Japan			Abstract		
	2002-214161	July 31, 2002	Japan			Abstract		
	2000-193608	July 14, 2000	Japan			Abstract		
	10-281710	Oct. 23, 1998	Japan			Abstract		
	8-216016	Aug. 27, 1996	Japan			Abstract		
	5-315307	Nov. 26, 1993	Japan			Abstract		

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		

Examiner	Date Considered
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	